



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
DEPARTMENT OF STATE

TELEPHONE: (302) 744-4500
FAX: (302) 739-2712
WEBSITE: WWW.DPR.DELAWARE.GOV

DIVISION OF PROFESSIONAL REGULATION

PRACTICE & EDUCATION COMMITTEE Minutes (Approved December 16, 2014)

The Practice and Education Committee held a meeting on June 13, 2014 at 9:00 A.M. in Conference Room A , Cannon Building, 861 Silver Lake Blvd, Dover, Delaware.

PRESENT: Robert Contino, Kathleen Riley-Lawless, Linda Brauchler, Nancy Bastholm

ABSENT: Barbara Willey, Stephanie Evans-Mitchell, Valerie Harrison

GUESTS: Sharon Mills-Wisneski, Lucille Gambardella, Barbara Robinson, Kathleen Heacock, Adetutu Mojisola Oguniye, Patricia Keeton (DOE), Austin Adeyelli, Ekeleyede Ikponmwosa., Emmanuel Mark, Grace F. Amu, Dr. Ola Aliu

PRESIDING: Dr. Contino

STAFF: Pamela Zickafoose, Executive Director, Delaware Board of Nursing

CALL TO ORDER: Dr. Contino called the meeting to order at 9:07 a.m. Dr. Contino and the committee members introduced themselves. He also questioned the committee members as to whether they would like to hear from the public as each school was presented or at the end. Members decided to hear from the public during each school presentation.

REVIEW OF MINUTES: Ms. Bastholm made a motion, seconded by Ms. Brauchler, to approve the minutes of the February 4, 2014 meeting. By unanimous vote the motion carried.

EDUCATION – Interim Progress Report Review

Delaware State University

Dr. Contino stated we received the report including the copy of the ACEN Interim report with preliminary results. He stated the Education Review Panel (ERP) from ACEN accepted the interim report. This report will next be forwarded to the Board of Commissioners at ACEN for a final decision. DSU stated in their letter that they most likely will undergo a focus visit in the fall, if this recommendation was accepted by the Commissioners. It was noted that DSU was planning curriculum revisions and these will need to be submitted to the Board of Nursing for approval as a major change prior to implementation. Ms. Brauchler questioned what the

timeline was for all the corrections, stating there was no timeline in the report. Members agreed this should be submitted with the annual report in December. Ms. Bastholm made a motion to approve the report with clarification of the timeline for the annual report and a reminder to submit the curriculum revisions for approval prior to implementation. The motion was seconded by Ms. Brauchler. By unanimous vote, the motion carried. Dr. Zickafoose informed the committee members that the NCLEX pass rate for the first half of this reporting year was 40% with ten students taking the exam and four passing.

DTCC Owens ACEN February 25, 2014 Visit Outcome

Dr. Zickafoose read the letter from Ms. Seeley at DTCC Owens campus. Dr. Contino stated this was an informational letter and no action was needed.

Leads School of Technology

The interim report was reviewed by committee members prior to the meeting. Ms. Bastholm asked whether the standardized testing tool for ATI listed in Appendix E Item 4 on page 1 was used as an end of course final exam and/or if it was the end of program exit exam. Appendix D page 2 states it is used as the final exam at the end of the course and is worth 10%, then in "g" it is 20% of the final grade. The report also states students must meet a 90% pass rate for remediation and committee members expressed concern over this high score when 72% indicates they will pass the NCLEX exam. Ms. Brauchler tried to explain that the non-proctored exam was taken before the content mastery exam and it is retaken until a 90% is reached. Then the students take the content mastery exam. However she pointed out the discrepancy between the values assigned to the content mastery exam with page two saying it is 20% and Appendix D saying it is 10%. Ms. Robinson stated that is a typo and she clarified it is supposed to be 10% in Appendix E, and the Strategic Plan to increase the NCLEX pass rate on page 9 says 10%. She stated she cut and pasted the wrong one. Dr. Contino stated this is not the first time the wrong data had been sent. Ms. Robinson replied she had just been visiting her sister.

Ms. Ogunieye asked to speak and stated she was a licensed RN in DE, NJ, and NY and was faculty at Leads from March 2013 until December 2013. She stated students were not given access to ATI and 90% is too high and unreasonable, and Leads is not giving the students enough teachers and tools. Ms. Robinson answered that 90% is a percentage on a grid and it is not set by her. She stated she always validated the scale and it has not changed since 2011. Ms. Bastholm stated the interim report and the remediation plan does not indicate a timeframe for the students to remediate in Appendix D page 3- student/faculty remediation responsibilities. Ms. Bastholm reminded the committee and public that the longer it is from finishing the curriculum the lower the chances of successfully passing the NCLEX exam. Ms. Robinson pointed out page 9 in the Strategic Plan to Improve NLCEX Pass Rate has a distribution of points on the left side of the page. Ms. Bastholm repeated her question of "How long is the remediation process?" Ms. Robinson stated "I didn't put that down. I don't want to take a lot of time with that. It is an individualized plan." Ms. Robinson further clarified she recommends the students must remediate five hours but she has "not gotten that commitment." Ms. Bastholm asked then what happens when the students don't remediate and Ms. Robinson stated "the contract is broke. They have to follow the contract." Dr. Aliu stated the students commit to 4-6 weeks and Ms. Robinson stated they have to follow the contract. Ms. Bastholm stated 4-6 weeks is a long time. Then Ms. Brauchler questioned that if they

have to take ATI and remediate for each course then how do they progress on to the next course? Dr. Aliu stated if they fail they have to wait until the next course. Ms. Brauchler then questioned if there was remediation during a course or only at the end of the course and said the students are in a Catch 22. Dr. Aliu stated they remediate immediately every week and if they fail then the end of course remediation is 4-6 weeks. Ms. Brauchler concluded that the curriculum and program is very heavily dependent on ATI with constant repetition of the non-proctored exam and this is not what ATI recommends. She stated there needs to be other teacher made exams and content. Dr. Aliu stated there were other exams. Ms. Robinson stated what is not documented is what you're looking for and any student could come to her at any point for remediation. She stated she gives them an individualized plan and they can come in or call and the percent of people not in compliance with passing directly reflects where they are in the program. Dr. Contino redirected Ms. Robinson back to the question and asked "if I fail remediation do I go on to the next course? If ATI is 10% and I get a "0" do I progress or if I don't do the remediation am I not allowed to progress?" Dr. Aliu answered the progression policy stated the minimum passing score is 77% for the whole evaluation. Members confirmed if a student meets the 77% they are allowed to progress. The discussion regarding ATI and remediation continued with Ms. Brauchler pointing out the whole remediation plan is all ATI in Appendix D and Ms. Basthom questioned the previous statement about students having to identify themselves as "at risk" rather than faculty.

Dr. Gambardella requested to speak and added that when this all began, ATI was used to set up the overall framework. She stated it doesn't mean they are not doing anything on their end from the faculty. They wanted something standardized to improve board scores so they heavily stressed ATI because it is the best predictor to increase board scores. The curriculum was changed, admission policies were changed, etc., in an effort to raise standards. It is almost like a three pronged process. Ms. Brauchler stated that Virtual ATI is not mentioned or specified and she thanked Dr. Gambardella stating her verbal sharing was helpful. However the written materials did not lay out a coordinated progressive view of remediation- at least what was presented to the committee members. Ms. Brauchler stated it was almost punitive and this is a concern because ATI is meant to supplement a program.

Dr. Contino pointed out the Strategic Plan under the column titled "June 2014" and throughout the document says "All students..." On page one number 2 it says "all students..." so how many are we talking about? Ms. Robinson stated her prediction is that 7-10 students will graduate and at the time of the report they had not tested yet. Dr. Contino asked how many started in the cohort and Ms. Robinson replied there were 30. Committee members noted this was a very high attrition rate. The report also stated on page 2 under number 3 that "no student has progressed to the next level with GPA less than 2.5 as indicated in the student academic database." Dr. Contino stated he was looking for numbers to measure progress. Item #4 on page 3 states "The student cohort that graduated in May 2014 is currently being monitored." These examples demonstrate no specific numbers of students progressing or being monitored. He then asked Dr. Zickafoose about the current NCLEX scores for the first half of this school report year and she reported 12 students have taken the exam with one passing representing an 8.3% pass rate. Dr. Contino then computed if seven students graduate this year and all pass the exam, 8/19 would only equate to a 42% pass rate. Ms. Robinson stated the students who took the exam so far were not in this cohort and they were not in the action plan from the 2012 letter. Dr. Contino reminded her that the committee

members extended their requested timeframe to implement the plan and see results from 2013 to 2014. Leads goal was to achieve an 80% NCLEX pass rate by 2014. Ms. Robinson replied she doesn't have these people in the plan. Dr. Zickafoose explained that the NCLEX pass rates include all graduates taking the exam from all cohorts. Dr. Contino stated he had a student who graduated 20 years ago who took the exam in Montana last year and that threw off the scores for Wesley College.

Dr. Keeton stated over the past two weeks the volume of complaints to the Department of Education (DOE) has increased and the concern seems to be that students are not passing, remediation is not being done, and there is a lack of clinical hours. Dr. Keeton stated she spoke with Ms. Robinson and shared these complaints and Ms. Robinson is getting information from the clinical sites; however, only one site (Tender Loving Care) gave feedback so far. She has not heard back from Hillside or Millcroft and there are no acute care hospitals being used for clinical at this time. Ms. Robinson stated she has not seen these letters and Dr. Keeton stated she forwarded all emailed complaints to her.

Adetutu (Tutu) Mojisola Ogunieye asked to speak and said it took a lot of courage and boldness to come to the meeting today and speak. She said this was an ethical decision and ethical dilemma and she was speaking on behalf of the students. Ms. Ogunieye started working for Leads four years ago and then took a break. She was contacted by Mrs. Aliu who stated she needed an instructor, and that they made changes in the program. From March to December 2013 Ms. Ogunieye did not see these changes. She said "God is speaking to you Ms. Bastholm" and there is "NO remediation at Leads School." The philosophy is open and underprivileged immigrants like herself have to work to be able to pay for school. ATI is punitive and a lot of students are not getting their criminal background check until the last minute so they have spent a lot of money and then are out there. She stated the faculty list needs to be updated and there are no other faculty. Dr. Aliu is teaching at Leads, not as a substitute. Ms. Robinson stated Dr. Aliu "does enrichment." Ms. Ogunieye continued saying she was going to speak to attrition rates but would skip that for now. She confirmed she took a group of students to clinical but the students had no skills and she did the best she could in regards to giving injections. She informed the committee members that Mr. Leads (the simulation manikin) was set up the weekend before the Board of Nursing site visit and the faculty member who was present on the day of the visit was invited because she had a MSN and could answer questions about the simulator because she had experience with it. "It is not an opportunity for the underprivileged. It is a scam!"

Dr. Contino asked if others in the public would like to speak. Next Mr. Emmanuel Mark addressed the committee saying it was a great opportunity for him to be here as a former student and president of Class 33. He said he started October 25, 2012 and paid a \$3300 deposit from his sponsor as part of his dreams of coming to America. When he entered "Dr. Robinson" told him he would get books and it was a good idea to come to Leads. He did his part as president of Class 33 by telling other students they would get e-books, etc. and it didn't happen. Anatomy and Physiology was the first book received. They didn't get a Nutrition book. He showed members several ring bound notebooks and stated they were used by other students. The lecture notes for Maternity were in one loose leaf binder and he stated you had to use your own money to copy the materials. The content for Fundamentals was loose leaf as well. The only other textbook he received was Pediatrics. He claimed he was not notified he

failed Pediatrics yet his sponsor continued to pay the school. He was later told he would remediate in Pediatrics starting in July and ending in October. He said he was there every weekend and when he would ask for Dr Robinson he was told she was busy and will get back to you. Dr. Contino questioned about the school fees and was informed that some of the money had been refunded due to Dr. Keeton's interventions. Mr. Mark said he was told by Dr. Robinson to talk to his classmates and he wanted to save the school. It was his dream to come to America for the opportunities here. He also said that Pediatric clinical was in a nursing home and stated he did not give one injection or give meds. He was told by a prospective employer "Even if you graduate from Leads, I can't employ you." He also stated he has a taped recording of Dr. Aliu teaching. Ms. Brauchler asked how the school got paid and whether there was a plan or if students paid for each course or used a payment plan. Dr. Aliu responded they have a plan where they pay \$3000 on admission and \$670 per month until a certain point in time and then \$1000 per month by a certain time. Ms. Robinson stated she was "thrown back" by what she was hearing and she needs to give evidence. Dr. Keeton stated Emmanuel went out last summer. The Board DAG Jennifer Singh informed Ms. Robinson she was not being denied due process as this is an open public meeting where anyone is allowed to attend and speak.

Next Austin Adeyelli spoke saying he had been a student since March 2012 and he spoke with Dr. Aliu yesterday. He stated he was originally in class 30 and they were not doing well so they had to stay behind. He came back and joined class 33 because class 30 was too stubborn- it was eradicated and became 33B. He is the first in his family of 7 children and he was sent to the US to get an education and come back to Nigeria for his brothers. He questioned how this situation could happen in the United States. Dr. Contino redirected him to speak about his experience at Leads. He stated yesterday he met with Dr. Aliu and he put a zero on the paper and circled it with a pen. He asked to get his transcript and to let him go. If I can't pass Leads still has others come to this country. He said the school never lives up to anything. Instructors come in the middle of class and confuse students; sometimes no instructor was present and the one listed on the syllabus was not the one who taught the course. He pled with the committee "For God's sake help them please for our society. Take it out of society. It is a scam school."

The next student Ekeleyede Ikponmwo, stated he was a "so called student of Leads School of Technology." He showed a "Hero's Award" certificate and said it is a scam because they also call him "troublesome" and that he "resisted." He stated he didn't research the school and that was his fault. Where he was working, his employer called Mr. Friday who started teaching there and he said it was a good school – so he went there. He saw commotion taking place at Leads. He paid his school fees ahead of time and was only given two books- Anatomy and Pediatrics. The ATI books don't have much connection to what was given. Dr. Contino asked if books were included in the tuition fees and the student replied "yes." He continued to tell the committee that if you asked for books they would drop you and that is "intimidation. They will write you up." They didn't have good lectures. He has come out to tell the truth- "Ms. Tutu is the only person trying to straighten us. Dr. Barbara would talk about her dogs for hours. We had 300 pages of lecture notes and most of the hours talked about her dogs. If you say anything you are in trouble. I paid and am supposed to have good instructors. Engineering is my background and my wife is a nurse." He stated he entered October 25, 2012 into a 12

month program but Ms. Robinson said it is an 11 month program- they are going to rush through it. She then told him "You are too troublesome."

Dr. Contino asked the students if any of them were present the day he visited and spoke with them in the classroom. One or two students shook their heads confirming they were present during the site visit. He questioned how come no one raised any issues at that time and was told it was arranged and they were told what to say because they had to save their school. Mr. Ikponmwosa stated they put "perpetual fear" on every student. According to the student, the staff at Leads said they have influence with the Board of Nursing and are friends with them but they are afraid of Dr. Keeton. He stated this struggle will continue and the school is destroying families. He then produced a Board of Nursing Licensure by Exam application and turned to the page where schools attest to the number of clinical hours completed pointing out the 200 hours of clinical required for LPN programs. He stated they falsified documents saying "We never went for clinical for the required time." Committee members stated that some lab time might be counted as clinical time as well. The student said it is good to be truthful- Ms. Robinson talks about her dogs in lecture; Mr. Aliu teaches them; different teachers leads to confusion. Committee members questioned him about what classes Dr. Aliu teaches and he responded he taught Med-Surg, Pediatrics, and Geriatrics. He stated the United States of America is a place where the truth is spoken. It is the school's fault the whole class failed.

Dr. Contino asked Dr. Keeton what had been shared with Leads and she replied she shared numerous complaints with Ms. Robinson by phone. Dr. Keeton is compiling a summary when all are received and she will provide them with a summary of complaints. Dr. Zickafoose stated she heard the students refer to Ms. Robinson as "Doctor Robinson" and Ms. Robinson replied "I don't know why they do that. I am ABD though."

Another student arrived named Grace Amo and Dr. Contino asked members if they wanted to hear her story and all agreed to listen. Ms. Amo stated she came from NJ and works in NJ. She enrolled two years ago from the word of family and friends. It took her 15 months to finish the program. She took classes and was not told she failed the pediatric class. Normally they have a counseling session and are shown their grade but she was unable to attend when she was scheduled due to another appointment with a personal lawyer regarding a terrible accident where five people died. That was the first failure of pediatrics. On a second time in the pediatric class, she was unable to pay and was told if she did not pay within 2-3 days she was out of the school and could not continue in the pediatric class. Ms. Amo continued saying she had one test and scored 100% but it was marked as a zero. She stated they "intimidate you and victimize you." Dr. Contino rephrased her comments about the zero and she said in Nigeria their parents will sell whatever they have to send us to class. Because of Dr. Aliu she repeated maternity twice and they changed her to the evening class. After maternity she continued into the pediatric class. On January 4th she met with Ms. Robinson who said "Grace, What do you think you have? Who gave you permission to go to clinical?" Ms. Amo repeated the class for the third time and said she cried to her husband. She said she has a list of all her payments from March to October, she tried hard and did what she could. She said Ms. Tutu knows the degrees she brought to America and she has the same as a CPA in America from Nigeria. She continued talking about her daughter and her mother and finished stating Ms. Barbara Robinson commits "emotional and physical abuse." Ms. Brauchler asked when she took exams did she get the test back and review the answers and Ms. Amo replied

"No!" She said within a few seconds you see your test score. The faculty member, Ms. Tutu spoke and stated the faculty submitted grades to Ms. Sylvia and these grades were changed. Ms. Amo stated there is a "Don't ask and don't tell" rule in that school.

Dr. Contino concluded by stating the Board of Nursing has nothing to do with the money or refunding fees. Committee members agreed the interim report had inconsistencies. Ms. Brauchler summarized stating that Leads has serious allegations with ethical, legal, and professional issues that really give us pause. Ms. Bastholm stated aside from the public comments, Leads has been in operation seven years and has not had a class pass with an 80% pass rate and has not met the standards. We asked for clarifications, updates, etc to increase the standard to 80% and here we are today with an 8% pass rate for the first half of this year. She stated she felt and thought at the point of the next NCLEX results in October if they do not meet the 80% rule the Committee and Board of Nursing should move to close the school. Ms. Bastholm concluded the school still has basic fundamental issues after 7- 8 years and there is no progression to improve. Ms. Brauchler questioned whether they could require Leads to not admit any more students and the DAG advised the committee could not do this based on the previous letter giving until "2014." The DAG reviewed the correspondence to Leads and confirmed they were given written notice and a timeframe to correct the deficiencies. She recommended another letter be sent citing 2.5.4.3 stating the Board shall withdraw approval if the 80% is not met. Ms. Brauchler also informed the DAG the "year" goes from October 1 through September 30 for NCLEX pass rates and members discussed the normal timeline with annual reports due in December. Ms. Brauchler asked if they could identify to applicants that they are under provisional approval until January 2015 and Dr. Zickafoose stated there are asterisks on the Board's website identifying the program only has this type of approval.

Ms. Bastholm made a motion that when the committee meets in December if the Leads NCLEX pass rate is not 80% they will recommend to withdraw approval to the Board of Nursing. Dr. Riley-Lawless seconded the motion. By unanimous vote the motion carried.

Delaware Skills Center Surveys and Data

Mr. Anderson sent a letter and all survey results for review. Ms. Brauchler stated he sent what was requested but she strongly recommended they professionalize the surveys to include the knowledge and skills taught as well as critical thinking and other objective measures such as learning objectives, course objectives, and NCLEX readiness to test results. Committee members agreed the surveys were not reflective of anything in the course. In addition, summary data, rather than each individual survey, should be submitted and the data should be in aggregate with no names. Members also requested information on who is completing the surveys from the organizations where graduates are hired. Ms. Bastholm made a motion to accept the documents submitted with a letter to be sent for future changes in their surveys, seconded by Ms. Brauchler. By unanimous vote, the motion carried.

Annual Report Faculty Form Revision

Ms. Brauchler distributed a document comparing the old form with a revised one that she and Dr. Evans-Mitchell developed. She stated they compared the NCLEX, ACEN, and Board of Nursing documents. Ms. Brauchler made a motion that the bottom document replace the current one in the annual report, seconded by Ms. Bastholm. By unanimous vote, the motion

carried. Dr. Zickafoose requested the form be sent electronically to her and she will replace it in the annual report for this year.

Leads Associate Degree RN Program Revised Documents

During the break Ms. Robinson asked to have this agenda item removed. Ms. Brauchler stated in light of all the other issues previously discussed she would not feel comfortable reviewing this program until further clarification of the LPN program issues was received. This would allow time for Leads to evaluate and respond to the allegations. Ms. Brauchler made a motion to table this agenda item, seconded by Dr. Riley-Lawless. By unanimous vote the motion carried.

PRACTICE ISSUES - None

PUBLIC COMMENT- See above. No further comments at this time.

NEXT MEETING – TBD for review of annual reports in December.

ADJOURNMENT – Ms. Bastholm made a motion to adjourn, seconded by Dr. Riley-Lawless. The meeting was adjourned at 11:58 a.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Pamela C. Zickafoose". The signature is written in a cursive, flowing style.

Pamela C. Zickafoose, EdD, MSN, RN, NE-BC, CNE
Executive Director, Delaware Board of Nursing